

REGULAR MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Monday, August 22, 2005

CALL TO ORDER: Following due call and notice thereof, Mayor Morey called the meeting to order at 7:00 p.m. in the Council Room, City Hall.

ROLL CALL: Members present: Mayor Michael J. Morey; Council Members Paul Fisch, Randi Vick, Gary Klug and Robert Standish. Members absent: None. Consultants and City staff present: Robert L. Nelson. Visitors present: Betty Schwirtz, Mary Halverson, Jodi Halverson, Herb Erickson, Duane Strub, Robert Hosch, Ione Frank, Tom Molling, Peter Molling and Jane Palen, reporter.

CONSENT AGENDA: Following brief discussion, a motion was made by Member Fisch, seconded by Member Vick, to approve the Consent Agenda items, listed below. All members voted in favor and the motion was declared carried.

A. MINUTES OF PAST MEETINGS: To approve the minutes of the Regular Meeting held Monday, August 8, 2005, as presented.

B. LMC TECHNOLOGY ISSUES SEMINAR: To authorize up to two staff persons to attend the technology seminar at Rochester on September 15 for a registration fee of \$25 each and mileage for one driver. Any Council Members are also authorized to attend.

VISITORS AND COMMUNICATIONS

A. ZONING APPLICATION – MOLLING: Mayor Morey recessed the Regular Meeting to open a Public Hearing to receive testimony on a zoning application from Peter Molling proposing to construct a 50' x 72' commercial building at a location adjacent to Duane Strub's B & D Sealcoating Shop, 212 Ramsey Lane. The building is proposed to be located 3' from the west property line and 25' from the north property line which is the boundary line dividing the industrial from a residential district. Peter Molling said the proposed building would house the apparatus to conduct a seal coating business and inform the Council that this parcel was accessible by an easement across adjoining properties from the north end of Decorah Street. Betty Schwirtz informed the Council that the surveyed parcel of land included what she believed to be a 30' wide strip belonging to her which she had purchased from Ione Frank. Mrs. Frank concurred that she believed the property had previously been part of her parcel and confirmed it was sold off to Gene and Betty Schwirtz. In addition, copies of a letter, opposing the granting of any variances for this application, written by Steven and Mary Halverson, were presented to the Council Members. Following lengthy discussion and an explanation of Tom Molling as to how the old 90' right of way for the street shown in the plat had been confused with a 60' wide normal right of way, the Council choose to table a decision on the application pending a two week delay to provide opportunity for Gene and Betty Schwirtz to obtain a land survey by a surveyor of their choice to confirm or refute the property locations as shown by the survey conducted by Massey Land Surveying, Inc. When there was no further discussion, Mayor Morey closed the Public Hearing and resumed the Regular Meeting.

B. COMMUNICATIONS

1. Woodland Industries, Customer Appreciation Breakfast, 8-23-05.
 2. Ltr, Houston County Auditor, 8-12-05, SUBJ: County Election Equipment Plan.
 3. Houston County EDA Trails Meeting Notice.
- NOTE: Addendum #5 and #6 announce meetings at the same time on the same date.

OLD BUSINESS

A. PEDESTRIAN CROSSWALK FLASHING LIGHTS: Clerk Nelson informed the Council that he was in the final stages of drafting a letter to the Minnesota Department of Transportation, requesting authorization for the City to install flashing signals in advance of the Pedestrian Crosswalk at Esch Drive. The data required by MNDOT had now been acquired and upon final revision of the letter of transmittal, the documents can be submitted to the Rochester District DOT. During discussion, a recommendation was made by the Council that the letter of transmittal be signed by both Mayor Morey and Superintendent Michael Moriarty to clearly indicate to the Department of Transportation that this petition is supported by the School District as well as the City.

NEW BUSINESS

A. SANITARY SEWER PLANT BUILDING: Clerk Nelson reported that Tony Klug, Water/Waste Water Supervisor, recommended overhauling the Dechlorinator Building. Over a 25 year period, the corrosive action of Sodium Bisulfate ate holes through the metal siding and metal door. Mr. Klug had obtained an estimate for the cost of materials at \$900 and anticipates an additional \$100 expense for miscellaneous items, such as a doorknob. Following discussion, a motion was made by Member Fisch, seconded by Member Vick, to authorize refurbishment of the Dechlorinator Building at an approximate cost of \$1,000. All members voted in favor and the motion was declared carried.

B. PUBLIC HEARING SCHEDULE, 2006 BUDGET, 2005 LEVY: Clerk Nelson distributed a calendar showing authorized dates for conduct of Truth – In – Taxation Public Hearings for the process of setting annual levy and budget for the next calendar year. Following review of the restrictions set by law, the Council agreed by general consensus to hold the initial public hearing at 7:00 p.m., Tuesday, November 29, 2005, in the Council Room, City Hall and to conduct a continuation hearing, if necessary, on Monday, December 5. Thereafter, a motion was made by Member Standish, seconded by Member Vick, to declare a proposed budget for calendar year 2006 of \$1,514,809 ($\$1,442,676 \times 1.5$), being a 5% increase over the budget for calendar year 2005. Further, to declare a proposed 2005 levy of \$406,154 ($\$369,231 \times 1.10$), being an increase of 10% over the 2004 levy. All members voted in favor and the motion was declared carried.

CLERK'S REPORT

A. 2006 PERA AID: \$2,789.00 (same as 2005).

B. ALTERNATE SIDE PARKING: Clerk Nelson inquired whether or not it was the Council's intent to reinstitute alternate side parking over the winter months. If so he recommended a meeting with the Council Committee (Vick and Standish), Mike Gerardy, Randy Shefelbine and himself to review the issue and draft a document that has achievable regulations from the stand point of the Street Department and enforcement by the Police Department. Discussing the date the alternate side parking should begin, annually, the Council selected October 15.

C. VACATION: Clerk Nelson informed the Council that he would be taking vacation from August 22 through Friday, September 2.

D. LIFT STATION INSURANCE COVERAGE: Enclosed with the Agenda was a roster of nine lift stations showing their location and value for a total value of \$202,000. This document was prepared to present to Danielson Insurance Agency for property damage coverage.

E. FEDERAL ANTI-CABLE FRANCHISING LEGISLATION: Enclosed with the Agenda was an e-mail from the League of Minnesota Cities, describing a bill before the Federal Government which would all but eliminate municipal power for requiring cable companies to pay franchise fees. Council Members were encouraged to call their congressman and oppose the bill.

F. EMPLOYEE TIME RECORD: Enclosed with the Agenda was the Employee Time Record for pay period August 1 – 14, 2005.

G. DEBIT / CREDIT MACHINE: Clerk Nelson reported there had been a request for the City to consider obtaining a Debit / Credit Machine for payment of utility bills and other fees. The Council directed Clerk Nelson to obtain a price for such machine.

H. FRANCHISE FEE: Clerk Nelson reported that Mediacom had recently submitted payment for the 2004 Franchise Fee in the amount of \$15,344.46.

I. *CHANGE A LIGHT, CHANGE THE WORLD*: Clerk Nelson reported that he had investigated this program which had been briefly introduced to the Council at a previous meeting. The program is initiated by the Federal Government and involves a substantial amount of expensive advertising and reporting when completed. He stated that the anticipated cost and administrative time necessary to conduct the program was beyond the capabilities of the City Of Caledonia.

J. COMPREHENSIVE PLAN: Clerk Nelson reported that he had contacted two companies to make a presentation to the Council of their experience in leading municipalities through a

Comprehensive Planning process. One metropolitan company seemed disinterested since they stated the average budget set by previous municipalities served by them was \$80,000 for a Comprehensive Plan update.

K. PAST MEETING ISSUES:

1. MULTI-FAMILY ZONING: Clerk Nelson informed the Council, regarding application for zoning permit when converting a single family dwelling to multi-family use, that his opinion for multi-family conditions existed when two or more unrelated individuals inhabited the same rental dwelling, regardless of whether or not it was divided off into separate apartments. The Council choose to conduct further study of the issue before implementing the conditional use process for converting single family dwellings to multi-family dwellings.

2. MASONIC LODGE SIDEWALK: Clerk Nelson reported that the defect in the concrete sidewalk which prompted negotiations between representatives of the City and Masonic Lodge to have the City pay for a portion of replacement concrete begin within a year after the sidewalk was initially placed. The defective sidewalk was left in place until this time when the Masonic Lodge directors now intended to do work on the front of the building and replace the defective sidewalk. Following discussion, a motion was made by Member Fisch and seconded by Mayor Morey, to negotiate with and make payment for the defective portion of concrete sidewalk. All members voted in favor and the motion was declared carried.

3. MINIMUM WAGE – SEASONAL WORKERS: Clerk Nelson informed the Council that the Seasonal Workers at the Athletic Field and Swimming Pool are in fact covered by the Minimum Wage Law and wages would have to be increased according to state and federal statute.

4. DISCONNECTED ELECTRIC METER BEFORE/AFTER HEAT ADVISORY: Clerk Nelson informed the Council that although the City would be prohibited as an electric utility from disconnecting electric meters for non-payment or other reasons during a heat advisory, if the disconnection took place on days prior to a heat advisory, the city was not obligated to re-install the electric meter on the date of the heat advisory.

5. FORFEITURE MONEY PAID TO COUNTY AND STATE: Clerk Nelson reported that the Caledonia Police Department had acquired cash, probably from raiding a drug dealer, Minnesota Statute prescribe the division of such confiscated funds between the municipality, county and State of Minnesota.

L. NUISANCE NOTICES: Clerk Nelson reported that he recently sent two notices to abate nuisances to locations on East Main Street.

MISCELLENIOUS ITEMS

A. 3.2 MALT LIQUOR LICENSE APPLICATION: Following brief discussion, a motion was made by Member Fisch, seconded by Member Standish, to approve a Retail Off Sale License to sell 3.2 Malt Liquor, submitted by Duck-wall Alco Stores at the local Alco Store on STH 44/76. All members voted in favor and the motion was declared carried.

ADJOURNMENT: There being no further business before the Council, a motion to adjourn was made by Mayor Morey and seconded by Member Fisch. All members voted in favor, the motion was declared carried and the meeting then adjourned at 9:21 p.m. The next Regular Meeting of the City Council is scheduled for 7:00 p.m., Monday, September 12, 2005, in the Council Room, City Hall.

Michael J. Morey, Morey

Robert L. Nelson
City Clerk – Administrator